

// A special meeting of the Council of the City of Lynchburg, recessed from February 8, was held on the 22nd day of February, 2005, at 1:00 P.M., Second Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Absent:

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// Mr. Gary Christie, the new Executive Director of the Region 2000 Regional Commission, shared his outlook regarding the activities of the Commission, which included working with the Region 2000 Economic Development Partnership and other regional agencies to establish more effective service delivery programs. Mr. Christie stated that since a new name would help better identify the new partnership of agencies, on January 20 the Regional Commission voted to change the name to "Virginia's Region 2000 Partnership – Regional Council." Mr. Christie went on to say that the name change will require an amendment to the Commission's Charter, and that following the March 18 comment period, each locality will be asked to approve the Charter amendment.

// Ms. Julie Passmore, President, Lynchburg Humane Society, along with Shelley Stone, Regional Director, Spay Virginia South Central Region, presented an overview of information contained in a report entitled "Cat Overpopulation and Stray Management Proposal", as previously furnished to City Council. Ms. Passmore explained that the three-pronged approach, along with a comprehensive public education campaign in conjunction with a low cost spay/neuter clinic and a managed Trap-Neuter-Vaccinate-Return (TNVR) program, would result in a significant reduction in Lynchburg's stray cat and companion animal related conflicts within three years. Following the presentation, City Council indicated that the cost of the three-year proposal, i.e., a one-time \$20,000 contribution towards a spay/neuter clinic and \$37,000 recurring costs for three years, would be considered during the upcoming budget process.

// Community Market Task Force members Kay Frazier, Parks & Recreation Director, and Charles Grant, Public Works Engineering Construction Manager, presented an overview of information contained in a report entitled "Community Market Task Force Recommendations, February 2005", as previously furnished to City Council. Ms. Frazier explained that the Task Force discussed in detail many aspects of the Community Market, which included management, design, infrastructure and merchandising, and they are now seeking approval from City Council to move forward with the recommendations. In response to questioning, Ms. Frazier explained that \$150,000 is included in the FY2006 Capital Improvements Program for design, architectural and engineering services for the Market Parking Deck renovation, and \$100,000 for design, architectural and engineering services for the Community Market Interior Renovation. Following discussion, City Council agreed that the Task Force is moving in the right direction with regard to the Community Market.

// City Manager Kimball Payne informed that at the February 8 meeting City Council requested that the petition of Laird Lynchburg, LLC, to rezone approximately 2.2 acres in the 2400 Block of Langhorne Road to allow the construction of a Walgreens pharmacy be placed on the work session agenda. Mr. Payne went on to say that staff has not received any new information from the petitioner regarding the request. Ms. Robin Askew of Laird Development along with her attorney, Ted Craddock, presented a brief overview regarding the status of the project, stating that the current option on the property expires on February 28, 2005. Ms. Askew also distributed a copy of an October 6 response to City Planner Tom Martin agreeing to a majority of the recommended changes to the proposed site plan, in addition to a written proposal from Schaefer Oglesby delineating certain items that he has agreed to with regard to the development and upgrade of the remainder of the property. Ms. Askew also stated that Laird Development will donate \$10,000 toward the Mid-Town Area Plan if the rezoning is approved at this time. Council Member Helgeson reiterated his support of the project, and stated that the proffers submitted by Mr. Oglesby in addition to the \$10,000 donation to the Mid-Town Area Plan were a welcomed addition. In response to questioning from Council Member Gillette, Ms. Askew stated that there have been no substantial changes to the current site plan from the site plan presented in October. Council Member Gillette questioned why City Council should again be discussing the rezoning request since there have been no changes to the site plan submitted in October. City Manager Payne explained that in October City Council did not discuss the rezoning request following the denial of the amendment to the Comprehensive Plan. Other Council Members stated that they would still like to wait until the Mid-Town Area Plan is completed before making a decision regarding the rezoning request. City Manager Payne stated that staff should have a draft of the plan sometime in May. In response to Council questioning, Ms. Askew stated that Walgreens could wait for the study, but Mr. Oglesby stated that he was unsure if the other property owners would be willing to wait. In response to Council questioning, City Attorney Walter Erwin stated that prior to considering the rezoning request, City Council would need to rescind its earlier decision denying the amendment to the Comprehensive Plan. Council Member Dodson made a motion to rescind the October 12 decision and to reconsider an amendment to the Comprehensive Plan for approximately 2.2 acres in the 2400 block of Langhorne Road from Medium Density Residential to Community Commercial. Mr. Erwin explained that unless there has been previous notice regarding the motion to rescind, it would take five votes to approve the motion to rescind. Council Member Dodson stated that he intended to make a motion at City Council's 5:00 p.m. meeting to rescind the October 12, 2004, vote denying an amendment to the Comprehensive Plan to change a 2.2 acre tract of land in the 2400 block of Langhorne Road from a Medium Density Residential Use to a Community Commercial Use.

// Utilities Director Tim Mitchell presented an overview regarding the February 2005 Water and Sewer Rate Study, noting that the proposed rate adjustments would result in composite monthly water and sewer bill increases of approximately 4% for most customers. Mr. Mitchell informed that a public hearing regarding the water and sewer rate increases would be held at the March 8 meeting.

// Commissioner of the Revenue Mitch Nuckles along with Financial Services Director Mike Hill again presented a proposal to increase the gross income limitation for eligibility to receive real estate tax relief through the Tax Relief for the Elderly and Permanently Disabled Program from \$27,000 to \$30,000. Some Council Members expressed concern that increasing the gross income limits would mean that there would be less relief for those individuals with the lowest income and net worth.

// City Council discussed whether to establish an interview process for candidates seeking to serve on the Lynchburg School Board, and agreed to continue the discussion to the March work session.

// During roll call, Council Member Dodson inquired regarding the lack of a "Welcome to Lynchburg" sign at the U. S. Route 460 entrance to the City. In response to Vice Mayor Foster's inquiry, City Manager Kimball Payne stated that the way to address gang activity is through law enforcement, and that the City is using the Healthy Neighborhoods Initiative in addition to other efforts such as the regular meetings of the Criminal Justice Group to build leadership capacity in neighborhoods. City Manager Payne inquired regarding formal staff presentations during the upcoming budget work sessions, and the majority of Council Members indicated that formal presentations were not needed, but that staff should be present to respond to questions.

// The meeting was adjourned at 4:45 p.m.

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Clerk of Council